Upland and Waterfront Development

A. Protect Anchorages. Other activities may be allowed in anchorages shown in the land-use summary designation tables in Chapter 3 only if DNR determines the use or capacity of the anchorage will not be significantly diminished, or if there is no feasible and prudent alternative for the other activity and DNR determines that allowing it to occur is in the state's best interest.

B. Breakwaters, Jetties, Causeways, Harbors, and Marinas. Breakwaters, jetties, causeways, harbors, and marinas will, to the extent feasible and prudent, be sited and designed to minimize impacts on longshore transport, circulation, and mixing. The site and design should also optimize flushing to avoid concentration of pollutants. Harbors, marinas, and launch ramps should be sited where upland demands (such as parking, support facilities, and increased traffic flow) can be accommodated.

C. Bulkheads. Bulkheads will be authorized only for the purpose of erosion control or to reduce the size of fills required for water-dependent uses. Where necessary, bulkheads should be designed to do the following:

1. facilitate flushing;
2. minimize the potential for toe scour, wave energy enhancement, or accelerated erosion;
3. allow for outward groundwater flow or runoff;
4. prevent fines from washing away, if fines are included in fill material.

D. Temporary Berms, Pads or Ramps. Temporary berms, pads, or ramps constructed of beach gravels and sands will be restored to blend with original contours after the temporary access is no longer required, unless removal or restoration would cause more damage than leaving the berm, pad, or ramp in place.

E. Temporary Access. Temporary access across tidelands (such as on-loading or off-loading materials from ships or barges) will, where feasible and prudent, occur at higher tidal stages to minimize compaction of substrate and crushing of invertebrates.

F. Pilings Preferable to Fill. Piling structures are preferable to fill for shoreline development. However the Juneau Coastal Management Plan has designated 14 Special Waterfront Areas where fill for specified uses is permissible, provided the project is in compliance with other standards of the JCMP (49.55.140). Outside of these areas, fill is prohibited by the JCMP unless specific, restrictive criteria have been met (49.55.030(m)). All shoreline development proposals must also comply with federal regulations implementing Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act.

G. Tidelands Fill for Residential Purposes. Filling state tidelands, submerged lands, or shorelands for residential purposes will not be allowed.

H. Soil Erosion. Soil erosion caused by development projects will be minimized by restricting the removal of vegetation adjacent to waterbodies and by stabilizing disturbed soil as soon as possible.

I. Permanent Fuel Storage. Where feasible and prudent, permanent fuel storage facilities will not be located on docks. Fuel storage structures that are located on state uplands adjacent to tidelands or wetlands will have a physical barrier to prevent the flow of fuel into coastal wetlands and tidelands. This guideline may be waived if solutions are approved by DEC.

J. Equipment on Tidelands. Equipment operated on tidelands will avoid or minimize significant adverse impacts to fish and wildlife habitat. DNR authorizations may require siting or timing restrictions to achieve this result.

K. Performance Guarantees. The Department of Natural Resources is responsible to assure that applicants for developments with possible significant risk to state land will provide performance guarantees or assurances. The Director of the DNR Division of Land has the discretion to waive such requirements if: 1) there is a significant and overriding public benefit from the project which may not be realized without the waiver, or 2) when sufficient performance guarantees were already put in place by other municipal, state, or federal agencies.

L. Siting and Operating Resource Transfer Facilities and Sites.[14]

Resource Transfer Site: A site for all facilities necessary for transferring timber, minerals, or other resources from uplands to marine waters, including all necessary components such as log rafting and sorting areas, or floating camps. A single resource transfer site may contain more than one resource transfer facility.

1. Conflicts with Other Important Uses. Resource transfer sites and facilities will be sited and operated to avoid or minimize interference with important established personal, commercial, or recreational uses.

2. Joint Use and Consolidation. Joint use and consolidation of resource transfer sites will occur where it is feasible and prudent.

3. Accommodate Future Use. Resource transfer sites should be sited and designed to accommodate future development and avoid unnecessary relocation of sites. The feasibility of using or modifying existing sites will be evaluated before a new site is authorized.

4. Avoid Hazards to Navigation. In bays or straits, resource transfer facilities will be sited and operated in a manner that will not constitute a hazard to navigation.

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14 **Resource Transfer Facility:** Any facility or mechanism necessary to transfer timber, minerals, or other resources from uplands to marine water, including all necessary components such as log rafting and sorting areas, or floating camps.

Resource Transfer Site: A site for all facilities necessary for transferring timber, minerals, or other resources from uplands to marine waters, including all necessary components such as log rafting and sorting areas, or floating camps. A single resource transfer site may contain more than one resource transfer facility.